

THE HONORABLE THOMAS S ZILLY

CV 02-00861 #00000076

CC FILED 18 JUDGE MR  
 LODGED ENTERED  
 OCT 25 2002 RECEIVED MR  
 BY CLERK U.S. DISTRICT COURT  
 WESTERN DISTRICT OF WASHINGTON DEPUTY

IN THE UNITED STATES DISTRICT COURT  
 FOR THE WESTERN DISTRICT OF WASHINGTON  
 AT SEATTLE

LEE McDONALD, *et al*,

Plaintiffs,

vs.

WESTERN WIRELESS CORPORATION, a  
 Washington corporation, *et al*,

Defendants

) CIVIL ACTION No 02-0861 Z

) **DECLARATION OF TODD S.**  
 ) **FAIRCHILD IN SUPPORT OF MOTION**  
 ) **FOR PROTECTIVE ORDER**

) NOTE ON MOTION CALENDAR Tuesday,  
 ) Nov 5, 2002

TODD S. FAIRCHILD declares:

1. I am an attorney practicing with the law firm of Dorsey & Whitney, LLP, counsel  
 for the Western Wireless defendants herein. I am more than 21 years of age, have personal  
 knowledge of the matters set forth herein, and am competent to make this declaration

2 Attached hereto are true and correct copies of the following documents referenced  
 in *Western Wireless Defendants' Motion for a Protective Order to Stay Discovery in the Parallel*  
*State Court Action*

<u>Exhibit</u>	<u>Description</u>
A	"Order" dated July 3, 2002 entered by the Hon Thomas S. Zilly in this case
B	"Third Amended Complaint and Demand for Jury Trial" filed by plaintiffs in

ORIGINAL

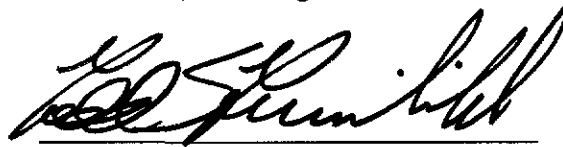
1 this case.

2 C "First Amended Complaint for Money Damages" filed in Civil Action No  
3 02-2-26228-7 SEA in the Superior Court of Washington for King County,  
4 captioned *David Kunkle, et al v Western Wireless Corp, et al*

5 D "Plaintiffs' First Requests for Production of Documents and Interrogatories  
6 to the WWC Defendants" served by the plaintiffs in Civil Action No. 02-2-  
7 26228-7 SEA in the Superior Court of Washington for King County,  
8 captioned *David Kunkle, et al v Western Wireless Corp., et al*

9 I declare under penalty of perjury of the laws of the United States and of the State of  
10 Washington that the foregoing is true and correct

11 Signed this 25<sup>th</sup> day of October at Seattle, Washington.

12  
13 

14 Todd S Fairchild, WSBA #17654

**EXHIBITS  
NOT  
SCANNED**